

Deborah Deitsch-Perez
Michael P. Aigen
STINSON LLP
2200 Ross Avenue, Suite 2900
Dallas, Texas 75201
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Facsimile: (214) 560-2203
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Email: michael.aigen@stinson.com

COUNSEL FOR THE DUGABOY INVESTMENT
TRUST

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

<p>In re</p> <p>HIGHLAND SELECT EQUITY MASTER FUND, L.P.</p> <p>Debtor.</p>	<p>§ § § § § §</p>	<p>Case No. 23-31037-swe7</p> <p>(Chapter 7)</p>
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**APPENDIX IN SUPPORT OF THE DUGABOY INVESTMENT TRUST'S RESPONSE
TO EMERGENCY MOTION IN LIMINE**

Exhibit	Document	Appendix Page(s)
1	Email from Counsel for HCMLP to Counsel for Dugaboy and others dated October 13, 2023 regarding Select – Motion in Limine/Adjournment	App. 001 – App. 002
2	Email from Hudson Jobe to Jenni Bergreen dated September 15, 2023 regarding Highland Select Equity Master Fund, Case No. 23-31037-swe7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-mv17 – Motion to Transfer	App. 003 – App. 016
3	Email from Jenni Bergreen to Hudson Jobe dated September 18, 2023 regarding **CORRECTION** Highland Select Equity Master Fund, Case No. 23-31037-swe7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-mv17 – Motion to Transfer	App. 011 – App. 017

4	Email from George Demo to counsel for the parties dated September 13, 2023 regarding Highland Select Equity Master Fund, Case No. 23-31037-swe7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-mvl7 – Motion to Transfer	App. 018 - App. 023
5	Email from Jeremy Root to counsel for the parties dated July 17, 2023 regarding Highland Select Equity Master Fund, Case No. 23-31037-swe7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-mvl7 – Objections to Exhibit and Witness Lists	App. 024 – App. 025

Dated: October 17, 2023

Respectfully submitted,

/s/ Deborah Deitsch-Perez

Deborah Deitsch-Perez

State Bar No. 24036072

Michael P. Aigen

State Bar No. 24012196

STINSON LLP

2200 Ross Avenue, Suite 2900

Dallas, Texas 75201

(214) 560-2201 telephone

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Email: deborah.deitschperez@stinson.com

Email: michael.aigen@stinson.com

Counsel for The Dugaboy Investment Trust

CERTIFICATE OF SERVICE

I certify that on October 17, 2023, a true and correct copy of the foregoing document was served via the Court's Electronic Case Filing system to the parties that are registered or otherwise entitled to receive electronic notices in this proceeding.

/s/ Deborah Deitsch-Perez

Deborah Deitsch-Perez

EXHIBIT 1

From: Gregory V. Demo <GDemo@pszjlaw.com>
Sent: Friday, October 13, 2023 4:39 PM
To: alexanderj@passmanjones.com; Deitsch-Perez, Deborah R.; 'Hudson Jobe'
Cc: Jeff Pomerantz; John A. Morris
Subject: Select - Motion in Limine/Adjournment

External Email – Use Caution

Counsel,

We will be filing a motion in limine Monday to exclude recusal evidence concerning Dugaboy's objection to the motions to reassign the Select cases to Judge Jernigan. If the Trustee or Dugaboy opposes that relief, Highland requests, alternatively, that the hearing be adjourned to October 30 or such later date as the parties may be heard on the ground that my partner, John Morris, has an in-person evidentiary hearing in Delaware on October 20 and is unavailable to conduct an evidentiary hearing in Dallas the day before.

Please let us know if you consent to such relief by Monday at 2:00 p.m. ET.

If all parties agree that the hearings on the motions to re-assign will not be evidentiary hearings, we are happy moving forward on October 19.

If anyone opposes our motion in limine, we can make ourselves available for a meet and confer on the briefing schedule after it's filed.

Your prompt response is appreciated.

Best,
Greg

Gregory V. Demo

Pachulski Stang Ziehl & Jones LLP

Tel: 212.561.7730 | Cell: 312.662.3573 | Fax: 212.561.7777

GDemo@pszjlaw.com

[vCard](#) | [Bio](#) | [LinkedIn](#)



Los Angeles | San Francisco | Wilmington, DE | New York | Houston

EXHIBIT 2

From: TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>
Sent: Monday, September 18, 2023 7:46 AM
To: Hudson Jobe
Cc: TXNB SWE Settings; Deitsch-Perez, Deborah R.; Scott; Root, Jeremy A.; alexanderj@passmanjones.com; chandlers@passmanjones.com; zannable@haywardfirm.com; gdemo@pszjlaw.com; jmorris@pszjlaw.com; hwinograd@pszjlaw.com; MHayward@haywardfirm.com; jpomerantz@pszjlaw.com; ustpreion06.da.ecf@usdoj.gov; Nita Chancellor; TXNB MVL_Settings
Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer
Attachments: WebEx Hearing Instructions for Judge Larson.pdf

External Email – Use Caution

Good morning Mr. Jobe,

Judge Larson's hearing on 10/19 at 1:30PM will be hybrid, with parties either appearing in-person or via WebEx. I have reserved the time and will look for your notice of hearing.

Thank you,

Dawn Harden



Dawn Harden
Courtroom Deputy
to the Honorable Michelle V. Larson
U.S. Bankruptcy Court
Northern District of Texas
214-753-2059

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>
Sent: Monday, September 18, 2023 7:37 AM
To: Hudson Jobe <hjobe@qslwm.com>
Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com <alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>; zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszjlaw.com <gdemo@pszjlaw.com>; jmorris@pszjlaw.com <jmorris@pszjlaw.com>; hwinograd@pszjlaw.com <hwinograd@pszjlaw.com>; MHayward@haywardfirm.com <MHayward@haywardfirm.com>; jpomerantz@pszjlaw.com <jpomerantz@pszjlaw.com>; ustpreion06.da.ecf@usdoj.gov <ustpreion06.da.ecf@usdoj.gov>; Nita Chancellor <nchancellor@qslwm.com>; TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>
Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

Thanks for confirming, Mr. Jobe. For Judge Everett's case (23-31037) I've reserved 90 mins. for this motion on 10/19 at 1:30 PM. The hearing will be conducted in a hybrid format; parties

Case 23-31037-swe7 Doc 53-1 Filed 10/17/23 Entered 10/17/23 11:32:07 Desc
Appendix Appendix in Support of the Dugaboy Investment Trusts Response to Page 7 of 27
may make their appearances either in person in Judge Everett's courtroom or via Webex. Will
you please file a notice of hearing that includes that information, Judge Everett's Webex link,
and a copy of his Webex instructions.

Thank you.

Jenni



Jenni Bergreen
Courtroom Deputy to the
Honorable Scott W. Everett
U.S. Bankruptcy Court
Northern District of Texas
214-753-2071

From: Hudson Jobe <hjobe@qslwm.com>
Sent: Friday, September 15, 2023 4:53 PM
To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>
Cc: Deutsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com
<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;
zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszjlaw.com <gdemo@pszjlaw.com>;
jmorris@pszjlaw.com <jmorris@pszjlaw.com>; hwinograd@pszjlaw.com <hwinograd@pszjlaw.com>;
MHayward@haywardfirm.com <MHayward@haywardfirm.com>; jpomerantz@pszjlaw.com
<jpomerantz@pszjlaw.com>; ustpreion06.da.ecf@usdoj.gov <ustpreion06.da.ecf@usdoj.gov>; Nita Chancellor
<nchancellor@qslwm.com>
Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity
Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Thank you – the parties have cleared 10/19. I will notice both hearings for that same day. Can you please confirm
whether these should be noticed for in person, hybrid, or zoom? I believe we have parties that would like to appear
remotely.

Sincerely,

Hudson Jobe

Board Certified Business Bankruptcy Attorney
Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>
Sent: Friday, September 15, 2023 3:16 PM
To: Hudson Jobe <hjobe@qslwm.com>

Case 23-31037-swe7 Doc 53-1 Filed 10/17/23 Entered 10/17/23 11:32:07 Desc
Appendix Appendix in Support of the Dugaboy Investment Trusts Response to Page 8 of 27
Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com; chandlers@passmanjones.com;
zannable@haywardfirm.com; gdemo@pszjlaw.com; jmorris@pszjlaw.com; hwinograd@pszjlaw.com;
MHayward@haywardfirm.com; jpomerantz@pszjlaw.com; ustpreion06.da.ecf@usdoj.gov
Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity
Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

I want to alert you all that I will be out of the office from 9/25 - 10/9. To avoid any setting confusion while I'm away, I'd love to have the setting nailed down prior to 9/22. Have the parties discussed the setting that was offered (10/19 at 10:30 AM)? I can also find options for you prior to 10/19 if the parties don't mind this case being set on a different dates than the case before Judge Larson.

Jenni



Jenni Bergreen
Courtroom Deputy to the
Honorable Scott W. Everett
U.S. Bankruptcy Court
Northern District of Texas
214-753-2071

From: Hudson Jobe <hjobe@qslwm.com>
Sent: Wednesday, September 13, 2023 11:23 AM
To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>
Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com
<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;
zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszjlaw.com <gdemo@pszjlaw.com>;
jmorris@pszjlaw.com <jmorris@pszjlaw.com>; hwinograd@pszjlaw.com <hwinograd@pszjlaw.com>;
MHayward@haywardfirm.com <MHayward@haywardfirm.com>; jpomerantz@pszjlaw.com
<jpomerantz@pszjlaw.com>; ustpreion06.da.ecf@usdoj.gov <ustpreion06.da.ecf@usdoj.gov>
Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity
Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Thank you – I have sent a separate email to parties to discuss to keep from spamming you with the traffic, and yes will handle confirmation.

Hudson Jobe
Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>

Sent: Wednesday, September 13, 2023 11:21 AM

To: Hudson Jobe <hjobe@qslwm.com>

Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com; chandlers@passmanjones.com;
zannable@haywardfirm.com; gdemo@pszilaw.com; jmorris@pszilaw.com; hwinograd@pszilaw.com;
MHayward@haywardfirm.com; jpomerantz@pszilaw.com; ustpreion06.da.ecf@usdoj.gov

Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

Hello, all. Dawn and I discussed settings where both judge's calendars will allow for a 90-min. hearing on the same day. Dawn has offered you 10/19 in the PM. Judge Everett has time available on 10/19 at 10:30 AM. However, if it's not important for the parties to have the motions heard on the same day, I can find setting options for you as early as the week of 9/25 re the case in Judge Everett's court.

Would you all please discuss amongst yourselves and then Mr. Jobe, please let me know the group's decision.

Thank you.

Jenni



Jenni Bergreen
Courtroom Deputy to the
Honorable Scott W. Everett
U.S. Bankruptcy Court
Northern District of Texas
214-753-2071

From: Hudson Jobe <hjobe@qslwm.com>

Sent: Monday, September 11, 2023 4:38 PM

To: TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

Cc: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; Deitsch-Perez, Deborah R.
<deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com
<jeremy.root@stinson.com>; alexanderj@passmanjones.com <alexanderj@passmanjones.com>;
chandlers@passmanjones.com <chandlers@passmanjones.com>; zannable@haywardfirm.com
<zannable@haywardfirm.com>; gdemo@pszilaw.com <gdemo@pszilaw.com>; jmorris@pszilaw.com

CAUTION - EXTERNAL:

Ms Harden - yes that is confirmed. My side estimates 40 minutes, and we haven't received any response from the various other parties on this email that 40 minutes will not work for the opposition.

Sent from my iPhone

On Sep 11, 2023, at 4:17 PM, TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov> wrote:

Dear Mr. Jobe,

Please confirm the 1.5 hour time estimate will be adequate? I will have to squeeze you in between settings and need to make sure I have adequate time to give you.

Thank you,

Dawn

<image.png>

From: Hudson Jobe <hjobe@qslwm.com>

Sent: Monday, September 11, 2023 4:10 PM

To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; TXNB MVL_Settings
<mvl_settings@txnb.uscourts.gov>

Cc: 'Deutsch-Perez, Deborah R.' <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com
<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;
zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com
<gdemo@pszilaw.com>; jmorris@pszilaw.com <jmorris@pszilaw.com>; hwinograd@pszilaw.com
<hwinograd@pszilaw.com>; MHayward@HaywardFirm.com <MHayward@HaywardFirm.com>;
jpomerantz@pszilaw.com <jpomerantz@pszilaw.com>; ustpregion06.da.ecf@usdoj.gov
<ustpregion06.da.ecf@usdoj.gov>

Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland
Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Great, thank you.

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

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2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>

Sent: Monday, September 11, 2023 4:03 PM

To: Hudson Jobe <hjobe@qslwm.com>; TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

Cc: 'Deutsch-Perez, Deborah R.' <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;

jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com;

chandlers@passmanjones.com; zannable@haywardfirm.com; gdemo@pszilaw.com;

jmorris@pszilaw.com; hwinograd@pszilaw.com; MHayward@HaywardFirm.com;

jpomerantz@pszilaw.com; ustpreion06.da.ecf@usdoj.gov

Subject: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

We haven't forgotten about your requested hearing, Mr. Jobe. The judges have been busy, but we're hoping to have a setting for both cases soon. We will be in touch.

Jenni

<image003.jpg>

From: Hudson Jobe <hjobe@qslwm.com>

Sent: Thursday, September 7, 2023 8:37 AM

To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; TXNB MVL_Settings

<mvl_settings@txnb.uscourts.gov>

Cc: 'Deutsch-Perez, Deborah R.' <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;

jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com

<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;

zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com

<gdemo@pszilaw.com>; jmorris@pszilaw.com <jmorris@pszilaw.com>; hwinograd@pszilaw.com

<hwinograd@pszilaw.com>; MHayward@HaywardFirm.com <MHayward@HaywardFirm.com>;

jpomerantz@pszilaw.com <jpomerantz@pszilaw.com>; ustpreion06.da.ecf@usdoj.gov

<ustpreion06.da.ecf@usdoj.gov>

Subject: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Ms. Harden and Bergreen,

The Motions to Reassign/Transfer that my client filed were continued pending discussions, and my understanding is that agreements have not been reached. As a result, I would like to see about resetting these for hearing in both cases.

Could you please let us know available settings beginning September 20? If possible, it would be helpful to coordinate the settings together like last time, but I understand that this might not be possible with the Courts' calendars. With respect to time estimates, the movant and Highland Capital would estimate their total time at 40 minutes. Assuming a similar response time from other parties, a 1.5-hour setting should suffice.

With respect to zoom appearances, would hybrid or remote-only be available? Thank you for your help in coordinating this again.

Sincerely,

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

CAUTION - EXTERNAL EMAIL: This email originated outside the Judiciary. Exercise caution when opening attachments or clicking on links.

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EXHIBIT 3

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>
Sent: Monday, September 18, 2023 7:41 AM
To: Hudson Jobe
Cc: Deitsch-Perez, Deborah R.; Scott; Root, Jeremy A.; alexanderj@passmanjones.com; chandlers@passmanjones.com; zannable@haywardfirm.com; gdemo@pszjlaw.com; jmorris@pszjlaw.com; hwinograd@pszjlaw.com; MHayward@haywardfirm.com; jpomerantz@pszjlaw.com; ustpreregion06.da.ecf@usdoj.gov; Nita Chancellor; TXNB MVL_Settings
Subject: Re: **CORRECTION** - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

External Email – Use Caution

Correction on the time before Judge Everett (23-31037). The correct time for the hearing before Judge Everett is 10:30 AM. Sorry I typed prior. :)

Thank you.

Jenni



Jenni Bergreen
Courtroom Deputy to the
Honorable Scott W. Everett
U.S. Bankruptcy Court
Northern District of Texas
214-753-2071

From: Hudson Jobe <hjobe@qslwm.com>
Sent: Friday, September 15, 2023 4:53 PM
To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>
Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com <alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>; zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszjlaw.com <gdemo@pszjlaw.com>; jmorris@pszjlaw.com <jmorris@pszjlaw.com>; hwinograd@pszjlaw.com <hwinograd@pszjlaw.com>; MHayward@haywardfirm.com <MHayward@haywardfirm.com>; jpomerantz@pszjlaw.com <jpomerantz@pszjlaw.com>; ustpreregion06.da.ecf@usdoj.gov <ustpreregion06.da.ecf@usdoj.gov>; Nita Chancellor <nchancellor@qslwm.com>
Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Case 23-31037-swe7 Doc 53-1 Filed 10/17/23 Entered 10/17/23 11:32:07 Desc
Appendix Appendix in Support of the Dugaboy Investment Trusts Response to Page 15 of 27
Thank you – the parties have cleared 10/19. I will notice both hearings for that same day. Can you please confirm whether these should be noticed for in person, hybrid, or zoom? I believe we have parties that would like to appear remotely.

Sincerely,

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>

Sent: Friday, September 15, 2023 3:16 PM

To: Hudson Jobe <hjobe@qslwm.com>

Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com; chandlers@passmanjones.com;
zannable@haywardfirm.com; gdemo@pszjlaw.com; jmorris@pszjlaw.com; hwinograd@pszjlaw.com;
MHayward@haywardfirm.com; jpomerantz@pszjlaw.com; ustpreion06.da.ecf@usdoj.gov

Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

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Jenni



Jenni Bergreen
Courtroom Deputy to the
Honorable Scott W. Everett
U.S. Bankruptcy Court
Northern District of Texas
214-753-2071

From: Hudson Jobe <hjobe@qslwm.com>

Sent: Wednesday, September 13, 2023 11:23 AM

To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>

Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com
<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;

Case 23-31037-swe7 Doc 53-1 Filed 10/17/23 Entered 10/17/23 11:32:07 Desc
Appendix Appendix in Support of the Dugaboy Investment Trusts Response to Page 16 of 27
zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com <gdemo@pszilaw.com>;
jmorris@pszilaw.com <jmorris@pszilaw.com>; hwinograd@pszilaw.com <hwinograd@pszilaw.com>;
MHayward@haywardfirm.com <MHayward@haywardfirm.com>; jpomerantz@pszilaw.com
<jpomerantz@pszilaw.com>; ustpreion06.da.ecf@usdoj.gov <ustpreion06.da.ecf@usdoj.gov>
Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity
Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Thank you – I have sent a separate email to parties to discuss to keep from spamming you with the traffic, and yes will handle confirmation.

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>

Sent: Wednesday, September 13, 2023 11:21 AM

To: Hudson Jobe <hjobe@qslwm.com>

Cc: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com; chandlers@passmanjones.com;
zannable@haywardfirm.com; gdemo@pszilaw.com; jmorris@pszilaw.com; hwinograd@pszilaw.com;
MHayward@haywardfirm.com; jpomerantz@pszilaw.com; ustpreion06.da.ecf@usdoj.gov

Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity
Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

Hello, all. Dawn and I discussed settings where both judge's calendars will allow for a 90-min. hearing on the same day. Dawn has offered you 10/19 in the PM. Judge Everett has time available on 10/19 at 10:30 AM. However, if it's not important for the parties to have the motions heard on the same day, I can find setting options for you as early as the week of 9/25 re the case in Judge Everett's court.

Would you all please discuss amongst yourselves and then Mr. Jobe, please let me know the group's decision.

Thank you.

Jenni



Jenni Bergreen
Courtroom Deputy to the
Honorable Scott W. Everett
U.S. Bankruptcy Court
Northern District of Texas
214-753-2071

From: Hudson Jobe <hjobe@qslwm.com>
Sent: Monday, September 11, 2023 4:38 PM
To: TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>
Cc: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com <alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>; zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com <gdemo@pszilaw.com>; jmorris@pszilaw.com <jmorris@pszilaw.com>; hwinograd@pszilaw.com <hwinograd@pszilaw.com>; MHayward@haywardfirm.com <MHayward@haywardfirm.com>; jpomerantz@pszilaw.com <jpomerantz@pszilaw.com>; ustpreion06.da.ecf@usdoj.gov <ustpreion06.da.ecf@usdoj.gov>
Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Ms Harden - yes that is confirmed. My side estimates 40 minutes, and we haven't received any response from the various other parties on this email that 40 minutes will not work for the opposition.

Sent from my iPhone

On Sep 11, 2023, at 4:17 PM, TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov> wrote:

Dear Mr. Jobe,

Please confirm the 1.5 hour time estimate will be adequate? I will have to squeeze you in between settings and need to make sure I have adequate time to give you.

Thank you,

Dawn

<image.png>

From: Hudson Jobe <hjobe@qslwm.com>
Sent: Monday, September 11, 2023 4:10 PM
To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>
Cc: 'Deitsch-Perez, Deborah R.' <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com

<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;
zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com
<gdemo@pszilaw.com>; jmorris@pszilaw.com <jmorris@pszilaw.com>; hwinograd@pszilaw.com
<hwinograd@pszilaw.com>; MHayward@HaywardFirm.com <MHayward@HaywardFirm.com>;
jpomerantz@pszilaw.com <jpomerantz@pszilaw.com>; ustpreregion06.da.ecf@usdoj.gov
<ustpreregion06.da.ecf@usdoj.gov>

Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Great, thank you.

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>

Sent: Monday, September 11, 2023 4:03 PM

To: Hudson Jobe <hjobe@qslwm.com>; TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

Cc: 'Deutsch-Perez, Deborah R.' <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;

jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com;

chandlers@passmanjones.com; zannable@haywardfirm.com; gdemo@pszilaw.com;

jmorris@pszilaw.com; hwinograd@pszilaw.com; MHayward@HaywardFirm.com;

jpomerantz@pszilaw.com; ustpreregion06.da.ecf@usdoj.gov

Subject: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

We haven't forgotten about your requested hearing, Mr. Jobe. The judges have been busy, but we're hoping to have a setting for both cases soon. We will be in touch.

Jenni

<image003.jpg>

From: Hudson Jobe <hjobe@qslwm.com>

Sent: Thursday, September 7, 2023 8:37 AM

To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; TXNB MVL_Settings

<mvl_settings@txnb.uscourts.gov>

Cc: 'Deutsch-Perez, Deborah R.' <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;

jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com

<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;

zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com

Subject: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Ms. Harden and Bergreen,

The Motions to Reassign/Transfer that my client filed were continued pending discussions, and my understanding is that agreements have not been reached. As a result, I would like to see about resetting these for hearing in both cases.

Could you please let us know available settings beginning September 20? If possible, it would be helpful to coordinate the settings together like last time, but I understand that this might not be possible with the Courts' calendars. With respect to time estimates, the movant and Highland Capital would estimate their total time at 40 minutes. Assuming a similar response time from other parties, a 1.5-hour setting should suffice.

With respect to zoom appearances, would hybrid or remote-only be available? Thank you for your help in coordinating this again.

Sincerely,

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

[Quilling, Selander, Lownds, Winslett & Moser, P.C.](#)

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

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EXHIBIT 4

From: Gregory V. Demo <GDemo@pszjlaw.com>
Sent: Wednesday, September 13, 2023 1:48 PM
To: 'Hudson Jobe'; Deitsch-Perez, Deborah R.; Scott; Root, Jeremy A.;
alexanderj@passmanjones.com; chandlers@passmanjones.com;
zannable@haywardfirm.com; John A. Morris; Hayley R. Winograd;
MHayward@haywardfirm.com; Jeff Pomerantz; ustpregion06.da.ecf@usdoj.gov
Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7,
Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

External Email – Use Caution

Highland Capital is available on October 19.

Gregory V. Demo

Pachulski Stang Ziehl & Jones LLP

Tel: 212.561.7730 | Cell: 312.662.3573 | Fax: 212.561.7777

GDemo@pszjlaw.com

[vCard](#) | [Bio](#) | [LinkedIn](#)



Los Angeles | San Francisco | Wilmington, DE | New York | Houston

From: Hudson Jobe [mailto:hjobe@qslwm.com]
Sent: Wednesday, September 13, 2023 11:40 AM
To: Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com; chandlers@passmanjones.com;
zannable@haywardfirm.com; Gregory V. Demo <GDemo@pszjlaw.com>; John A. Morris <jmorris@pszjlaw.com>; Hayley
R. Winograd <hwinograd@pszjlaw.com>; MHayward@haywardfirm.com; Jeff Pomerantz <jpomerantz@pszjlaw.com>;
ustpregion06.da.ecf@usdoj.gov
Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity
Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

All – leaving the Court off this email. Please review to ensure I included a complete list. Please reply to this email with whether Oct 19 works for your client or not.

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

[Quilling, Selander, Lownds, Winslett & Moser, P.C.](#)

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

Sent: Wednesday, September 13, 2023 10:01 AM

To: Hudson Jobe <hjobe@qslwm.com>

Cc: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com; chandlers@passmanjones.com; zannable@haywardfirm.com; gdemo@pszjlaw.com; jmorris@pszjlaw.com; hwinograd@pszjlaw.com; MHayward@haywardfirm.com; jpomerantz@pszjlaw.com; ustpreion06.da.ecf@usdoj.gov; TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

Importance: High

Good morning Mr. Jobe,

Unfortunately, I just can't work you in for 1.5 hours in September due to a trial and various matters already set. Jenni and I have time on October 19th to hear these motions. Judge Larson can hear this at 1:30 on Oct. 19th. Jenni will respond with her hearing start time that morning.

Please let me know if parties are available that day for a hearing?

I look forward to hearing from you.

Dawn



Dawn Harden
Courtroom Deputy
to the Honorable Michelle V. Larson
U.S. Bankruptcy Court
Northern District of Texas
214-753-2059

From: Hudson Jobe <hjobe@qslwm.com>

Sent: Monday, September 11, 2023 4:38 PM

To: TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

Cc: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; Deitsch-Perez, Deborah R. <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com <alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>; zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszjlaw.com <gdemo@pszjlaw.com>; jmorris@pszjlaw.com <jmorris@pszjlaw.com>; hwinograd@pszjlaw.com <hwinograd@pszjlaw.com>; MHayward@haywardfirm.com <MHayward@haywardfirm.com>; jpomerantz@pszjlaw.com <jpomerantz@pszjlaw.com>; ustpreion06.da.ecf@usdoj.gov <ustpreion06.da.ecf@usdoj.gov>

Subject: Re: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Ms Harden - yes that is confirmed. My side estimates 40 minutes, and we haven't received any response from the various other parties on this email that 40 minutes will not work for the opposition.

Sent from my iPhone

On Sep 11, 2023, at 4:17 PM, TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov> wrote:

Dear Mr. Jobe,

Please confirm the 1.5 hour time estimate will be adequate? I will have to squeeze you in between settings and need to make sure I have adequate time to give you.

Thank you,

Dawn

<image.png>

From: Hudson Jobe <hjobe@qslwm.com>

Sent: Monday, September 11, 2023 4:10 PM

To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

Cc: 'Deutsch-Perez, Deborah R.' <deborah.deutschperez@stinson.com>; Scott <scott@scottseidel.com>; jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com <alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>; zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com <gdemo@pszilaw.com>; jmorris@pszilaw.com <jmorris@pszilaw.com>; hwinograd@pszilaw.com <hwinograd@pszilaw.com>; MHayward@HaywardFirm.com <MHayward@HaywardFirm.com>; jpomerantz@pszilaw.com <jpomerantz@pszilaw.com>; ustpregion06.da.ecf@usdoj.gov <ustpregion06.da.ecf@usdoj.gov>

Subject: RE: [EXTERNAL] - Re: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Great, thank you.

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

From: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>

Sent: Monday, September 11, 2023 4:03 PM

To: Hudson Jobe <hjobe@qslwm.com>; TXNB MVL_Settings <mvl_settings@txnb.uscourts.gov>

We haven't forgotten about your requested hearing, Mr. Jobe. The judges have been busy, but we're hoping to have a setting for both cases soon. We will be in touch.

Jenni

<image003.jpg>

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Sent: Thursday, September 7, 2023 8:37 AM
To: TXNB SWE Settings <swe_settings@txnb.uscourts.gov>; TXNB MVL_Settings
<mvl_settings@txnb.uscourts.gov>
Cc: 'Deutsch-Perez, Deborah R.' <deborah.deitschperez@stinson.com>; Scott <scott@scottseidel.com>;
jeremy.root_stinson.com <jeremy.root@stinson.com>; alexanderj@passmanjones.com
<alexanderj@passmanjones.com>; chandlers@passmanjones.com <chandlers@passmanjones.com>;
zannable@haywardfirm.com <zannable@haywardfirm.com>; gdemo@pszilaw.com
<gdemo@pszilaw.com>; jmorris@pszilaw.com <jmorris@pszilaw.com>; hwinograd@pszilaw.com
<hwinograd@pszilaw.com>; MHayward@HaywardFirm.com <MHayward@HaywardFirm.com>;
jpomerantz@pszilaw.com <jpomerantz@pszilaw.com>; ustpreion06.da.ecf@usdoj.gov
<ustpreion06.da.ecf@usdoj.gov>
Subject: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP,
LLC, Case No. 23-31039-MVL7 - Motion to Transfer

CAUTION - EXTERNAL:

Ms. Harden and Bergreen,

The Motions to Reassign/Transfer that my client filed were continued pending discussions, and my understanding is that agreements have not been reached. As a result, I would like to see about resetting these for hearing in both cases.

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With respect to zoom appearances, would hybrid or remote-only be available? Thank you for your help in coordinating this again.

Sincerely,

Hudson Jobe

Board Certified Business Bankruptcy Attorney

Texas Board of Legal Specialization

Quilling, Selander, Lownds, Winslett & Moser, P.C.

2001 Bryan Street, Suite 1800, Dallas TX 75201

Direct: (214) 880-1858 | Fax: (214) 871-2111

Email: hjobe@qslwm.com

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EXHIBIT 5

From: Root, Jeremy A.
Sent: Monday, July 17, 2023 10:34 AM
To: alexanderj@passmanjones.com; chandlers@passmanjones.com;
zannable@haywardfirm.com; gdemo@pszjlaw.com; jmorris@pszjlaw.com;
hwinograd@pszjlaw.com; MHayward@HaywardFirm.com; hjobe@qslwm.com;
jpomerantz@pszjlaw.com; scott@scottseidel.com; ustpregion06.da.ecf@usdoj.gov
Cc: Deitsch-Perez, Deborah R.
Subject: Highland Select Equity Master Fund, Case No. 23-31037-SWE7, Highland Select Equity Fund GP, LLC, Case No. 23-31039-MVL7 - Objections to Exhibit and Witness Lists

Counsel:

I am writing regarding the upcoming hearings in the Chapter 7 bankruptcy cases of Highland Select Equity Master Fund, Case No. 23-31037-swe7, and Highland Select Equity Fund GP, LLC, Case No. 23-31039-mvl7. You may have seen that I was recently admitted pro hac vice to represent the Dugaboy Investment Trust in both matters. I look forward to getting to know you as these matters move forward.

Thank you for providing us and the Court with your exhibit and witness lists Friday evening. I trust that you received Dugaboy Investment Trust's exhibit and witness list as well. In order to proceed efficiently on Wednesday, I thought it would make sense for us to confer in advance about any objections that any party may have to the witnesses or exhibits.

We have reviewed the exhibit lists filed by Highland Capital Management and the Debtors in each case. While we have some reservations about the relevance of certain exhibits (and are still conferring with our client and reserve all rights), our preliminary view is that we do not object to the exhibits on your lists. They are primarily, if not exclusively, court filings.

Please let us know if any party has objections to the witnesses and exhibits on the lists. So that we can confer if necessary in advance of the hearing, I request to have confirmation on any objections by 5 PM today. We will provide you with confirmation of our position on objections by that time as well.

Thank you,
Jeremy

Jeremy A. Root
Partner
Pronouns: He/Him
Jefferson City
573.556.3609
x63609